

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Phelan et al.

Application No.: 09/993,992

Confirmation No.: 9063

Filed: November 14, 2001

Art Unit: 3684

For: METHODS AND APPARATUS FOR  
AUTOMATICALLY EXCHANGING CREDIT  
INFORMATION

---

Examiner: J. H. Swartz

**PETITION UNDER 37 C.F.R. § 1.705(B) - APPLICATION FOR  
PATENT TERM ADJUSTMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

This paper is being filed to petition for a patent term adjustment (PTA) for the above-identified application, pursuant to 37 C.F.R. § 1.705(b), and is accompanied by payment of the required fee under 37 C.F.R. § 1.18(e). If it is verified that an error in the calculation of the patent term adjustment did occur, and it is determined that the error in the calculation was not the fault of the Applicants such that there should be a refund of the petition fee, kindly credit the cost of the petition fee to Deposit Account No. 13-2855, under Order No. 29804/36569A.

The relevant facts and dates for the petition are as follows: in the Notice of Allowance, mailed March 1, 2011, the U.S. Patent Office determined a PTA of 1069 days in Applicants' favor. All 1069 days can be attributed to the "A" delay by the Patent Office as defined by 35 U.S.C. § 154(b)(2)(A) and 37 C.F.R. § 1.702(a).

The Applicants filed a Notice of Appeal with the Patent Office on April 10, 2009, along with a Pre-Appeal Brief Request for Review. The Patent Office responded with a Notice of Panel Decision from Pre-Appeal Brief Review on April 30, 2009, giving the Applicants a 3-

month window for responding with either an Appeal Brief for a Request for Continued Examination (i.e. July 3, 2009). The Applicants filed a Request for Continued Examination with the Patent Office on September 10, 2009. Therefore, the Applicants should have a deduction of 42 days applied to the Patent Term Adjustment as reported in the Notice of Allowance.

As such, it is respectfully submitted that the PTA properly due to the Applicants in a patent issuing on the present application is **1027 days**.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 29804/36569A.

Dated: June 1, 2011

Respectfully submitted,

By:   /Vyacheslav Elkin - #66,913/    
Vyacheslav Elkin  
Reg. No.: 66,913  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive  
6300 Willis Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Agent for Applicants